IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.LAKSHMANA REDDY

TAKEN UP WRIT PETITION No.26801 OF 2006

Dated : January 17, 2007

Between:

Harijana Subbarayudu.

Petitioner

AND

The Station House Officer,
Tadimarri Police Station,
Anantapur District and another

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.LAKSHMANA REDDY

TAKEN UP WRIT PETITION No.26801 OF 2006

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.Varma)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for

the respondents.

2. This writ petition is taken up on the basis of a letter, dated nil, by one Harijana Subbarayudu, Dadithota Village, Tadimarri Mandal, Anantapur District, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that his brother by name Balappa was illegally taken into custody by the police, Tadimarri Police Station, Anantapur District, and he apprehends danger to the life of his brother.

3. In response to the notice, issued by this Court, the Sub-Inspector of Police, Tadimarri Police Station, filed counter-affidavit denying the allegations in the said letter and contending that, on 01.01.2007, the statement of the alleged detenue had been recorded by the Mandal Executive Magistrate and the same had been attested by two responsible persons of the village, including Ex-Sarpanch of Dadithota village, Tadimarri Mandal, which is to the effect that the alleged detenue was not illegally detained and he is moving freely and he is not attending the house on account of certain differences with his brother.

4. Curiously, no date has been furnished by the petitioner in the said letter, addressed to this Court, as to on what date the alleged detenue was arrested by the police, Tadimarri Police Station, Anantapur District, illegally.

5. Having regard to the facts and circumstances stated by the alleged detenue in the statement, which was recorded by the Mandal Executive Magistrate, we do not find any merit in the writ petition, the same fails and is liable to be dismissed.

6. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

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D.S.R.Varma, J.

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P.Lakshmana Reddy, J.

January 17, 2007
MAS/KRK